

DISTRICT COURT OF THE VIRGIN ISLANDS

DIVISION OF ST. CROIX

DARIN ROSS and FIONA ROSS,

Plaintiffs,

v.

**AARP, INC., AARP SERVICES, INC.,
GRUPO COOPERATIVO SEGUROS
MÚLTIPLES, COOPERATIVA DE
SEGUROS MÚLTIPLES DE PUERTO
RICO, SEDGWICK CLAIMS
MANAGEMENT SERVICES, INC.,
OVERSEAS INSURANCE AGENCY, INC.,
VERICLAIM, INC., and BYRON
GILCHREST,**

Defendants.

1:19-cv-00057-MEM-EAH

**TO: Pamela L. Colon, Esq.
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Eric Roman, Esq.
Mattie Bowden, Esq.
Andrew C. Simpson, Esq.
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Richard H. Hunter, Esq.
Joshua D. Lerner, Esq.
Peter Tepley, Esq.
Victor G. Sanabria, Esq.**

ORDER

THIS MATTER comes before the Court on the Motion To Extend Time to File Defendant's Answer to Plaintiffs' First Amended Complaint filed by Defendant Grupo Cooperativo Seguros Múltiples. Dkt. No. 213.

Plaintiffs filed their Amended Complaint on December 13, 2021. Dkt. No. 128. On January 10, 2022, Defendant filed a first motion for extension of time to answer. Dkt. No. 133. The Court granted this motion, and Defendant was required to respond by January

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31, 2022. Dkt. No. 134. On January 31, 2022, Defendant filed a second motion requesting extension of time to file. Dkt. No. 141. The Court granted this motion, and Defendant was required to respond by February 17, 2022. Dkt. No. 142. On February 17, 2022, Defendant requested one additional day to file, Dkt. No. 146; the Court granted this extension, Dkt. No. 147. On February 18, 2022, Defendant filed a motion to dismiss. Dkt. No. 148.¹ This motion was granted in part and denied in part on September 29, 2022. Dkt. No. 201. Thus, on October 17, 2022, Defendant filed the instant motion for extension of time to file answer. Dkt. No. 213.

The motion requested until October 31, 2022 to file an answer.² *Id.* It noted that Plaintiffs and the co-Defendants agreed to the extension. *Id.*

Accordingly, the premises considered, and the Court otherwise being duly advised, it is hereby **ORDERED**:

1. Defendants' Motion for Extension of Time to Answer, Dkt. No. 213, is **GRANTED**.
2. This Order is issued nunc pro tunc to October 17, 2022.

ENTER:

Dated: March 15, 2023

/s/ Emile A. Henderson III
EMILE A. HENDERSON III
U.S. MAGISTRATE JUDGE

¹ Defendant was directed to refile the motion and memorandum in support separately; the motion was refiled on March 16, 2022. Dkt. No. 152.

² The motion did not give any reason for the requested extension. Because the Court may only grant extension for good cause, it typically requires a showing of the same. *See* Fed. R. Civ. P. 6(b). Moreover, parties are not to assume that the Court will grant their motion, and should not sua sponte follow their own requested deadlines. However, in this instance, where Defendant filed the answer by the requested extension deadline, Dkt. No. 216, the case has proceeded, and it would be in the interests of judicial economy to grant the motion, the Court will excuse these instances of noncompliance.